

5 tions may sell checks, drafts, or money orders for single transaction
6 transmission of money."

Approved March 10, 1967.

CHAPTER 383

INSPECTION OF BONDED WAREHOUSES

S. F. 441

AN ACT relating to duties and powers of the Iowa state commerce commission.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. Section five hundred forty-three point two (543.2),
2 Code 1966, is hereby amended by striking in line eleven (11) thereof
3 the word "three" and inserting in lieu thereof the word "six (6)".*

Approved July 3, 1967.

This Act was passed by the G. A. before July 1, 1967.

*See also ch. 384.

CHAPTER 384

AGRICULTURAL WAREHOUSES

H. F. 201

AN ACT relating to bonded warehouses for agricultural products.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. Section five hundred forty-three point two (543.2),
2 Code 1966, is hereby amended as follows:

3 1. By inserting in line eight (8) following the word "thereof." the
4 following: "If upon any such inspection a deficiency is found to exist
5 as to the quantity or quality of agricultural products stored, the com-
6 mission shall have the authority to, and may require an inspector to
7 remain at the licensed warehouse and supervise all operations con-
8 ducted thereat involving agricultural products stored under the pro-
9 visions of this chapter until such deficiency is corrected."

10 2. By striking from line eleven (11) the word "three" and by in-
11 inserting in lieu thereof the word "six".*

1 SEC. 2. Section five hundred forty-three point eleven (543.11),
2 Code 1966, is hereby amended by striking all of said section after the
3 figures "543.15" in line fifteen (15) and by inserting in lieu thereof
4 the following:

5 "If such additional insurance is not provided within five days
6 after notice by certified mail the license of the warehouseman con-
7 cerned shall be automatically suspended. If such additional insurance

*See also ch. 383.

8 is not filed within another twenty-five days, the warehouse license
9 shall be automatically revoked. If additional bond is not provided
10 within thirty days after receiving notice by certified mail the ware-
11 house license shall be suspended. If such additional bond is not filed
12 within sixty days the warehouse license shall be automatically revoked.
13 When a license is so revoked, the commission shall notify each holder
14 of an outstanding warehouse receipt of such revocation. The commis-
15 sion shall further notify each receipt holder that his grain must be
16 removed from the warehouse not later than the thirtieth day following
17 the initial revocation as herein set forth. Such notice shall be by ordi-
18 nary mail sent to the last known address of each receipt holder.

19 "Whenever the commission shall receive notice from a surety that
20 it has cancelled the bond of a warehouseman, the commission shall
21 automatically suspend the warehouse license if a new bond is not
22 received by the commission within thirty days of receipt of the notice
23 of cancellation. The commission shall cause an inspection of the
24 licensed warehouse immediately at the end of such thirty-day period.
25 If a new bond is not received within sixty days of receipt of the notice
26 of cancellation the commission shall revoke the warehouse license.
27 The commission shall cause a further inspection of the licensed ware-
28 house at the end of such sixty-day period. When a license is so revoked
29 the commission shall give notice of such revocation to each holder of
30 an outstanding warehouse receipt. The commission shall further
31 notify each receipt holder that his grain must be removed from the
32 warehouse not later than the ninetieth day following receipt of notice
33 of cancellation, by the commission. Such notice to each receipt holder
34 shall be sent by ordinary mail to the last known address of each
35 receipt holder. The commission shall cause a final inspection of the
36 licensed warehouse immediately after the end of such ninety-day
37 period."

1 SEC. 3. Section five hundred forty-three point thirteen (543.13),
2 Code 1966, is hereby amended as follows:

3 1. By inserting in line seven (7) following the word "state" the
4 following:

5 "No bond shall be cancelled by the surety on less than ninety (90)
6 days notice by certified mail to the commission and the principal."

7 2. By adding at the end thereof the following:

8 "Notwithstanding any other provisions of this chapter, the bond
9 provided in this section shall cover all bulk grain deposited with a
10 licensed warehouseman."

1 SEC. 4. Section five hundred forty-three point seventeen (543.17),
2 Code 1966, is hereby amended as follows:

3 1. By adding at the end thereof the following:

4 "Notwithstanding any of the above provisions of this section, a
5 written agreement may be made at the time of the delivery of any bulk
6 grain to the warehouseman that payment will be deferred to a future
7 date. Such agreement shall contain a statement therein informing
8 the seller that the warehouseman is not required to carry insurance
9 or bond on such grain for the benefit of the seller and that the payment
10 for such grain becomes a common claim against the warehouseman.

11 "The agreement in addition to such other information as may be
12 required shall contain the following:

13 1. The seller's, or depositor's, name and address.

14 2. The conditions of delivery.

15 3. The amount and kind of grain delivered.

16 4. The price per bushel or basis of value.

17 5. The date payment is to be made.

18 Such agreement must be signed by both parties and executed in triplicate. One copy shall be retained by the warehouseman, one copy shall be delivered to the seller and one copy shall be forwarded to the commission within five days from execution of such agreement."

22 2. By striking from line fourteen (14) the word "ten" and by inserting in lieu thereof the word "thirty".

24 3. By striking from line sixteen (16) the word "nine" and by inserting in lieu thereof the word "twenty-nine".

26 4. By striking from line seventeen (17) the word "tenth" and by inserting in lieu thereof the word "thirtieth".

28 5. By striking from line twenty-six (26) the word "ten" and by inserting in lieu thereof the word "thirty".

30 6. By striking all after the period in line sixty-five (65) through the period in line seventy-two (72).

1 SEC. 5. Section five hundred forty-three point fifteen (543.15), Code 1966, is hereby amended as follows:

3 1. By inserting in line sixteen (16) following the word "commission." the following:

5 "No insurance policy shall be cancelled by the insurance company on less than fifteen days notice by certified mail to the commission and the principal unless such policy is being replaced with another policy and evidence of the new policy is filed with the commission at the time of cancellation of the policy on file."

10 2. By striking the last sentence and by inserting in lieu thereof the following:

12 "Claimants against such insurance shall have precedence in the following order:

14 1. Holders of warehouse receipts other than the warehouseman and owners of bulk grain other than the warehouseman.

16 2. Owners of all other agricultural products as their interests appear.

18 3. Warehousemen who have warehouse receipts.

19 4. Warehousemen owners of bulk grain."

1 SEC. 6. Section five hundred forty-three point seven (543.7), Code 1966, is hereby repealed.

1 SEC. 7. Section five hundred forty-three point thirty-three (543.33), Code 1966, is hereby amended by adding a new subsection as follows:

4 "For the cost of maintaining an inspector at a licensed warehouse to supervise the correction of a deficiency, thirty dollars per day."

1 SEC. 8. Section five hundred forty-three point thirty-five (543.35), Code 1966, line nine (9), is hereby amended by striking the word "always" and by inserting after the word "available" the words "for the six previous years".

1 SEC. 9. Chapter five hundred forty-three (543), Code 1966, is hereby amended by adding the following new sections thereto:

3 "Failure to pay the annual fee provided for in section five hundred
4 forty-three point thirty-three (543.33) of the Code on or before the
5 date the same shall become due shall cause a license to terminate. The
6 annual fee shall become due on June 30 each year.

7 "Nothing in this chapter shall be construed to imply any guarantee
8 or obligation on the part of the state of Iowa, or any of its agencies,
9 employees or officials, either elective or appointive, in respect of any
10 agreement or undertaking to which the provisions of this chapter
11 relate."

1 SEC. 10. Section five hundred forty-three point twenty-eight
2 (543.28), Code 1966, is hereby amended by striking from lines twenty-
3 six (26) and twenty-seven (27) the words "issuance of the warehouse
4 receipt" and by inserting in lieu thereof the words "delivery to the
5 warehouse".

1 SEC. 11. Section five hundred forty-three point thirteen (543.13),
2 subsection one (1), Code 1966, is hereby amended by striking all of
3 such subsection after the word "follows:" in line five (5) and insert-
4 ing in lieu thereof the following:

5 "a. For intended storage of bulk grain in any quantity less than
6 twenty thousand (20,000) bushels, the minimum amount of the bond
7 shall be six thousand (6,000) dollars plus one thousand (1,000) dol-
8 lars for each two thousand (2,000) bushels or fraction thereof in
9 excess of twelve thousand (12,000) bushels up to a total of twenty
10 thousand (20,000) bushels.

11 "b. For intended storage of bulk grain in any quantity not less
12 than twenty thousand (20,000) bushels and not more than fifty thou-
13 sand (50,000) bushels, the minimum amount of the bond shall be ten
14 thousand (10,000) dollars plus one thousand (1,000) dollars for each
15 three thousand (3,000) bushels or fraction thereof in excess of twenty
16 thousand (20,000) bushels up to a total of fifty thousand (50,000)
17 bushels.

18 "c. For intended storage of bulk grain in any quantity not less than
19 fifty thousand (50,000) bushels and not more than seventy thousand
20 (70,000) bushels, the minimum amount of the bond shall be twenty
21 thousand (20,000) dollars plus one thousand (1,000) dollars for each
22 four thousand (4,000) bushels or fraction thereof in excess of fifty
23 thousand (50,000) bushels up to a total of seventy thousand (70,000)
24 bushels.

25 "d. For intended storage of bulk grain in any quantity not less than
26 seventy thousand (70,000) bushels, the minimum amount of the bond
27 shall be twenty-five thousand (25,000) dollars plus one thousand
28 (1,000) dollars for each five thousand (5,000) bushels or fraction
29 thereof in excess of seventy thousand (70,000) bushels."

1 SEC. 12. Chapter five hundred forty-three (543), Code 1966, is
2 hereby amended by adding thereto the following:

3 "A licensed warehouseman may store grain in any other licensed
4 warehouse in addition to his own facilities, subject to the following
5 conditions:

6 1. He must obtain from such warehouseman a nonnegotiable ware-
7 house receipt and such receipt must show clearly the following nota-
8 tion: 'Held in trust for' (customer's name and address).

9 2. Any grain stored by a licensed warehouseman in facilities li-
 10 censed by another warehouseman shall be stored within a radius of
 11 twenty-five (25) statute miles from the central facility of the ware-
 12 houseman where it was originally received for storage.

13 3. At such time as the warehouseman may begin to use the addi-
 14 tional facilities described in this section, he must furnish additional
 15 bond acceptable to the commission to cover the increase in his gross
 16 capacity.

17 4. A licensed warehouseman shall not accept grain for storage from
 18 another licensed warehouseman while he has grain stored under the
 19 provisions of this section."

Approved July 27, 1967.

This Act was passed by the G. A. before July 1, 1967.

CHAPTER 385

BULK GRAIN STORAGE LIMIT

H. F. 55

AN ACT relating to the length of time bulk grain may be deposited in a warehouse.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. Section five hundred forty-three point seventeen
 2 (543.17), Code 1966, is hereby amended as follows:

3 (1) By striking from line twenty (20) the word "tenth" and in-
 4 serting in lieu thereof the word "thirtieth".

5 (2) By striking from line thirty (30) the word "tenth" and in-
 6 serting in lieu thereof the word "thirtieth".

Approved June 8, 1967.

CHAPTER 386

AGRICULTURAL WAREHOUSEMEN

S. F. 752

AN ACT expressly providing for the issuance of warehouse receipts by licensed agri-
 cultural warehousemen for agricultural products owned by them and the effective-
 ness of a transfer of the title or interest in such products by means of such re-
 cepts.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. Chapter five hundred forty-three (543), Code 1966, is
 2 hereby amended by adding thereto the following section:

3 "A licensed warehouseman may issue a warehouse receipt for agri-
 4 cultural products owned by himself and dispose of the title to or inter-
 5 est in such products through the medium of such receipt. Such receipt
 6 shall be of the same standing as though it had been issued to a person
 7 other than the licensed warehouseman upon a rightful deposit of the